

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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In the Matter of)
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Advanced Television Systems and) MM Docket No. 87-268
Their Impact upon the Existing)
Television Broadcast Service)

TO: The Commission

OPPOSITION OF GANNETT CO. INC.

Gannett Co., Inc. ("Gannett"), by its attorneys, hereby submits this Opposition to the Petition for Reconsideration of Fox Television Stations Inc. ("Fox"), filed in the above-captioned proceeding on June 12, 1997 ("Petition"). In its Petition, Fox seeks, among other things, a change in the Commission's DTV channel assignment for Gannett's station WKYC-TV, Cleveland, Ohio.¹ Gannett opposes the change.

Fox argues that the assignment of DTV channel 2 to WKYC-TV will cause interference to the co-channel NTSC operations of Fox's station WJBK in Detroit, Michigan. It requests that WKYC

¹ Gannett is the parent company of WKYC-TV, Inc., licensee of Station WKYC-TV.

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be given channel 53 or 65 instead. Its cites "propagation anomalies connected with atmospheric conditions, such as Sporadic-E and ducting" and the susceptibility of low VHF allocations to man-made noise as reasons for the change.²

Gannett strongly opposes substitution of either channel 53 or 65 for WKYC-TV. Fox has failed to demonstrate any compelling need for the change, which would leave WKYC with a less desirable channel than its present allotment. Neither channel is in the "core spectrum" for permanent DTV operation. Therefore, a shift to either channel would mandate WKYC's return to its NTSC channel 3, in the event channels 2-6 end up in the core, or to yet a third channel, if they do not. On channel 2, it has at least the possibility of making the shift to DTV only once. In addition, as many stations have found who currently operate on low VHF channels and have been assigned high UHF channels for DTV, the 1 megawatt DTV power cap produces a higher risk of overall coverage loss than if NTSC and DTV allotments are in the same band.

The susceptibility of low VHF signals to sources of man-made noise -- leaky power lines, vehicle ignition systems and other impulse noise sources -- has no bearing on Fox's claim

² Fox requests a replacement for the channel 2 DTV allotment at Kalamazoo, MI, for the same reasons.

that WKYC will interfere with WJBK's NTSC service. The Commission acknowledges that some interference to existing NTSC service is unavoidable, *Sixth R&O* at ¶ 85, and has attempted in the allotment table to minimize the amount of interference caused to both NTSC and DTV operations, *Id.* at ¶ 87. Notably, and importantly, the area between WKYC and WJBK, where interference might occur due to sheer proximity, lies mostly over water where no viewers will be affected.

Finally, Fox cites tropospheric ducting and Sporadic-E as phenomena affecting the low VHF channels which will cause WKYC to interfere with WJBK. Gannett recognizes that certain atmospheric conditions can cause interference, but submits that ducting and Sporadic-E are, by definition, occasional and intermittent and do not occur with the frequency or predictability that would warrant their consideration here.

Furthermore, Gannett is concerned that the number of requested changes in the DTV table that have been proposed by Fox and many others could create a "daisy-chain" scenario that would affect other DTV channel assignments far beyond the initial markets involved. In Gannett's view, the Commission's efforts to change the DTV channel assignments adopted in the Sixth Report and Order in this proceeding should be limited to those situations involving significant interference issues or where egregious disparities otherwise would be created between

the coverage available from a licensee's NTSC channel and its assigned DTV channel. Accordingly, Gannett urges the Commission to limit its channel assignment changes to those instances where clear interference issues or coverage disparities are present. Modifications in the table that are motivated by less critical technical matters should be discouraged in view of the very real likelihood that wholesale changes will cause additional significant problems to broadcasters who are now planning to use the assignments the Commission has given them.

Respectfully submitted,

GANNETT CO., INC.

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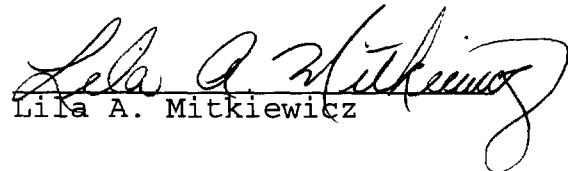
Its Attorneys

July 18, 1997

CERTIFICATE OF SERVICE

I, Lila A. Mitkiewicz, a secretary with the law firm of Reed Smith Shaw & McClay LLP, hereby certify that a copy of the foregoing **OPPOSITION OF GANNETT CO., INC.** was served by United States mail, first-class, postage prepaid, on this 18th day of July, 1997, on the following person at the addressee listed below:

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